

saying is if you're going to ask the American taxpayers to pay for your financial assistance, that you should be proficient enough in the language of this country to fill out the application. Now, you don't have to be a rocket scientist to figure that out. And we can throw all these other little things in there about the people that won't get to apply and blah, blah, blah, blah, blah. It doesn't matter.

All this amendment says is if you're going to ask the Federal Government to help with financial aid for your college education that we hope you succeed in, and that we want you to excel in, that you can at least speak the language of this country. That's all we're saying.

This is a very simple amendment. There's been so much rhetoric over there. I guess, you know, evidently, they're taking this for something that it's not. Very simple, Mr. Chairman. Very, very simple. Do we want to make sure that our taxpayers' dollars go to students who are legal citizens of this country, who have a GED or a high school education, that are applying for financial aid to go to a college in this country to be proficient enough in English to fill the application out in English? It's very simple.

I won't belabor this. And I know the chairman of the Appropriations Committee is trying to get as many of these amendments out of the way as you can. But I certainly hope that my colleagues, and especially all the colleagues who are interested in protecting the hard taxpayers' dollars of this country, and who are interested in getting as many students financial aid that need it, that have the best opportunity to go forward and succeed in their college education and spend the money wisely, that they would support this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. LYNCH). The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. WESTMORELAND. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Acting CHAIRMAN. The Committee will rise informally.

The Speaker pro tempore (Mr. WELCH of Vermont) assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

The Committee resumed its sitting.

AMENDMENT OFFERED BY MR. LEWIS OF GEORGIA

Mr. LEWIS of Georgia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. LEWIS of Georgia:

At the end of the bill (before the short title) insert the following:

TITLE VI

ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available in this Act may be used to take any action to finalize (or otherwise implement) provisions contained in the proposed rule published on May 3, 2007, on pages 24680 through 25135 of volume 72, Federal Register, insofar as such provisions propose—

(1) to alter payments for services under the hospital inpatient prospective payment system under section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)) based on use of a Medicare severity diagnosis related group (MS-DRG) system; or

(2) to implement a prospective behavioral offset in response to the implementation of such a Medicare Severity Diagnosis Related Group (MS-DRG) system for purposes of such hospital inpatient prospective payment system.

The Acting CHAIRMAN. Pursuant to the order of the House of Wednesday, July 18, 2007, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. LEWIS of Georgia. Mr. Chairman, I would like to thank my colleagues and friends, PETER WELCH of Vermont and JERRY WELLER from Illinois, for joining me in offering this important amendment.

Mr. Chairman, hospitals need more than just 2 months to change their coding system. It's too much too soon. CMS needs to give them the time they need. In addition, we must not allow CMS to implement this behavior offset.

I've talked to hospitals in my district. They're doing everything right when it comes to coding and charging Medicare. This cut will punish the hospital before they've done anything wrong. 269 Members of the House feel the same way.

Mr. WELLER and I sent a letter to CMS on June 12, along with 267 of our colleagues and 63 Senators urging CMS not to make this \$24 billion cut. Hospitals do not deserve a \$24 billion cut. I ask my colleagues to support this amendment and help our hospitals.

Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois (Mr. WELLER).

Mr. WELLER of Illinois. Mr. Chairman, I rise in support of this amendment. And first let me thank my colleagues, JOHN LEWIS, PETER WELCH, for

the opportunity to join in bipartisan sponsorship of this amendment.

This amendment prevents the Centers for Medicare and Medicaid Services from cutting \$24 billion in funding for our local hospitals, funding that's used to provide care to seniors disabled under Medicare. In my district alone this would mean a loss of \$60 million in reimbursement for my local hospitals, having a devastating effect on the quality of care.

A key misstep in the proposed rule is the 2.4 percent so-called behavior offset payment cut. CMS proposed this cut to eliminate what the agency has inaccurately claimed will be the effect of greater use of coding as hospitals move to a new system. These extreme cuts in reimbursements, based on speculation rather than fact, will impose an added burden on all hospitals.

Earlier this year my friend and colleague JOHN LEWIS and I circulated a letter in opposition to these Draconian cuts. The response was overwhelming, with 269 Members of this House going on the record against this devastating cut to our local hospitals. This is overwhelming bipartisan opposition to this bad policy proposed by CMS.

Mr. Chairman, I will include this letter in the RECORD in support of this amendment.

The amendment also prohibits CMS from prospectively applying any behavioral offset in fiscal year 2008, ensuring that any adjustments made for coding changes will be based on the actual experiences of the hospital, not mere conjecture.

I ask my colleagues to join us in bipartisan support of this effort to prohibit the use of any funds to implement these Draconian provisions of the IPPS rule that will place hospitals under undue financial burden, compromising the quality of care our constituents deserve.

In order to prevent these local hospitals and protect our constituents, I ask my colleagues to vote in a bipartisan "yes."

CONGRESS OF THE UNITED STATES,

Washington, DC, June 12, 2007.

Re CMS Proposed Inpatient Prospective Payment Rule

Ms. LESLIE V. NORWALK, Esquire,
Acting Administrator, Centers for Medicare and Medicaid Services (CMS), Washington, DC.

DEAR MS. NORWALK: We write to express our strong opposition to two provisions in the proposed Inpatient Prospective Payment System (IPPS) regulation. We respectfully request that these provisions be excluded from the final regulation.

The first provision would impose a 2.4 percent cut to all operating and capital payments for inpatient hospital services for Medicare patients based on the misguided premise of a so-called "behavioral offset." This unwarranted proposal would result in payment reductions for hospital services in both FY08 and FY09, cutting \$24 billion dollars in operating and capital payments over the next five years.

The second proposal would reduce payments to hospitals in urban areas for capital-related costs for inpatient hospital services, cutting payments by nearly \$1 billion over the next five years. We urge you to eliminate